## F/YR18/1108/FDL

#### Applicant: Mr A Ferdinand & Mr S Agent : Mr Ted Brand Green Brand Associates March PE15 Ltd

15 Station Road, March, Cambridgeshire, PE15 8LB

Erection of a part 2-storey, part 3 storey and part 4-storey building comprising of: 1 x retail unit (A1) and up to 26 x flats involving demolition of existing building (outline application with matters committed in respect of layout and scale)

Officer recommendation: Grant

Reason for Committee: FDC Ownership of access road at the rear of the site.

## 1. EXECUTIVE SUMMARY

- 1.1 The application site is an existing, vacant former retail premises on the edge of March Town Centre, and is identified within the March Neighbourhood Plan as a regeneration site.
- 1.2 The proposal is for the construction of a building combining ground floor retail premises fronting Station Road and 26 flats within the remaining section of the site.
- 1.3 Viability issues prevent the scheme from making provision for affordable housing on the site.
- 1.4 The principle of the redevelopment of the land is encouraged by the sitespecific policy within the Neighbourhood Plan together with policies contained within the Fenland Local Plan 2014.
- 1.5 The detailed elements provided for approval at this stage are considered to be acceptable, and the scale and indicative elevations detail a building that would enhance the appearance of this section of the town.
- 1.6 The application is recommended for approval.

## 2. SITE DESCRIPTION

2.1. This 0.07 hectare town centre site comprises a vacant and somewhat dilapidated shop unit (former freezer centre) with vacant land to the rear on the south side. From the signage on site this was previously a parking area for visitors to the shop. Currently it appears to be a general parking area. To the west is a pub with accommodation at first floor level facing onto the site, and a parade of shops, separated from the site by a wide footpath. The pub's outside drinking/ smoking area with seating also occupy the walkway. To the east is Jim Hocking Court, a large 2 1/2- 3 storey flat complex laid out with an internal courtyard, comprising 34 flats. Further to the east is a large Sainsbury's supermarket and associated car parking areas.

2.2. The road running adjacent to the southern boundary is owned by FDC and facilitates access and deliveries to the shops fronting onto Broad Street, such as the Tesco Express and Greggs. The rear entrances to the Fenland Walk shops are also accessed directly from this road. The site lies within Flood Zone 1 and is adjacent to the Conservation Area.

# 3. PROPOSAL

- 3.1. The proposal is made in outline, and is for the removal of the existing building from the site, and its replacement with a building comprising up to 4 storeys, incorporating a ground floor retail space with provision for up to 3 units, and up to 26 flats.
- 3.2. Indicative plans have been submitted alongside the application detailing the elevations of the proposed building, and matters of layout and scale are included for approval at this stage.

F/YR18/0028/FDL	Erection of 1x retail unit and up to 34x flats involving demolition of existing building (outline application with all matters reserved)	Refused 5/4/18
F/YR08/0123/F	Erection of 2 units for mixed use (A2 finance and professional and A4 drinking establishments) with 8 flats above comprising 3x 3-bed 4x 2-bed and 1x 1-bed involving demolition of existing freezer shop	Granted 26/3/08
F/YR07/0045/F	Erection of 2 units for mixed use (A2 finance and professional, A3 restaurants and café, A4 drinking establishments and A5 hot food takeaway) with 11 flats above comprising of 7x 2-bed and 4x 1-bed involving demolition of existing freezer shop	Refused 4/3/07 Appeal dismissed 2/11/07
F/YR06/1245/F	Erection of 2 units for mixed use (A2 Finance & Professional Services, A3 Restaurants & Cafe, A4 Drinking Establishments and A5 Hot Food Takeaway) with 11 x 2-bed flats above, involving demolition of existing freezer shop	Withdrawn 22/11/2006
F/YR05/1359/F	Erection of a retail unit involving demolition of existing freezer shop	Granted 02/10/2006
F/YR00/0834/F	Erection of freezer centre with 14 flats over	Approved 1/9/01
F/95/0312/F	Erection of freezer centre with 14 flats over	Approved 9/6/95
F/93/0644/F	Erection of freezer centre with 14 flats over	Refused 7/11/94
F/1381/89/O	Erection of buildings comprising supermarket (27,000sqft) shop units (17,000sqft) and new scout hall together with 400 car parking spaces and new vehicular access	Approved 10/4/90
F/0881/88/F	Erection of a new freezer centre with 14	Granted

# 4. SITE PLANNING HISTORY

	flats over the site of the freezer shop (to be demolished)	15/12/88
F/0635/83/F	Layout and construction of car-park and	Deemed
	rear service road to shops	consent
		13/10/83
F/0311/76/O	Demolition of existing residential and shop	Granted
	premises and the erection of a supermarket	16/7/76
TP/9569	The installation of a new shop front	Granted
		10/5/62
TP/5733	The installation of a new shop front	Granted
		18/12/56
TP4411	The rebuilding of a shop	Granted
		22/9/54
16/0122/PREAPP	Erection of 36 flats and 3 shops	Not favourable
		24/8/16

#### 5. CONSULTATIONS

# 5.1. March Town Council

Recommend approval

#### 5.2. The March Society

"Provided that the applicants adhere to the Context appraisal we would not have major objections. The onus will be on providing good design of high quality given the central position of the site. Given that the development also seeks to provide affordable, sustainable accommodation in a central area and that the planners have done their best to address the problem of car-parking it may well enhance an area that has been neglected for a number of years."

#### 5.3. **NHS England**

Due to the low number of dwellings we do not wish to raise an objection to this development or request mitigation.

#### 5.4. **FDC Housing Strategy**

Expect a contribution to affordable housing on the basis of 25% of the 26 dwellings. 70% of this should be affordable rented and 30% intermediate tenure.

#### 5.5. FDC Environmental Services

No objections in principle, but request that issues regarding sufficient bin storage provision are addressed.

#### 5.6. **Cambridgeshire Constabulary Designing Out Crime Officer**

This is an area of low vulnerability to crime at present. Considers the parking area should also be gated, with dusk to dawn lighting recommended.

5.7. **Cambridgeshire County Council Lead Local Flood Authority** No objection, condition requested.

#### 5.8. Anglian Water

Request a condition regarding the surface water drainage strategy

#### 5.9. **Cambridgeshire County Council Historic Environment Team**

Request a condition regarding a programme of archaeological work with no development to commence until this has been secured.

# 5.10. Local Residents/Interested Parties None received

# 5.11. Senior Planning Obligations Officer

The scheme has demonstrated that it is not able to provide any S106 Planning obligations due to economic viability.

## 6. STATUTORY DUTY

6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted Fenland Local Plan (2014).

## 7. POLICY FRAMEWORK

## 7.1 National Planning Policy Framework (NPPF)

Para 2: NPPF is a material consideration

Para 8: 3 strands of sustainability

Para 11: Presumption in favour of sustainable development

Para 57: Viability Assessments should be publicly available

Para 78: Housing should be located where it will enhance or maintain the vitality of rural communities.

Para 117: Promote effective use of land

Para 118: Opportunities and benefits of the reuse of land

Para 121: Take a positive approach to alternative land uses

Para 184: Heritage assets should be conserved in a manner appropriate to their significance.

# 7.2 National Planning Practice Guidance (NPPG)

Determining a planning application

# 7.3 Fenland Local Plan 2014

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

- LP3 Spatial Strategy, the Settlement Hierarchy and the Countryside
- LP5 Meeting Housing Need

LP6 – Employment, Tourism, Community Facilities and Retail

LP9 – March

LP14 – Responding to Climate Change and Managing the Risk of Flooding in Fenland

LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland

LP16 – Delivering and Protecting High Quality Environments across the District

LP18 – The Historic Environment

LP19 – The Natural Environment

## 7.4 March Neighbourhood Plan 2017

Policy TC2 – Regeneration sites (site 2)

# 8. KEY ISSUES

- Principle of Development
- Layout
- Scale

- Affordable Housing
- Flood Risk & Drainage

# 9. BACKGROUND

- 9.1. The application site has an extensive planning history dating back to the 1970's, involving permissions for the demolition and replacement of the building. More recently, there has been a trend of refusals/withdrawals and a single permission granted in 2008 for a mixed retail/residential use. Following the more recent adoption of the current Fenland Local Plan in 2014 there has only been a single decision in relation to the site, which was a recent refusal on the basis that the outline application submitted had not demonstrated that it could be accommodated without unsatisfactory impacts on the area and that no affordable housing requirement was provided for.
- 9.2. The application site is included within the March Neighbourhood Plan as a regeneration site.

# 10. ASSESSMENT

# Principle of Development

- 10.1. The site is within March Town Centre. Historic permissions and planning appeals have supported mixed use development on the site. Planning policy with regard to retail uses in the town centre location is supportive, in particular where the development involves the regeneration of an existing under-used or dilapidated site.
- 10.2. The March Neighbourhood Plan identifies the site (Site 2) as a regeneration site under Policy TC2. The neighbourhood plan has removed the building from the Primary Shopping Frontage as defined in the Fenland Local Plan. It further states that the building is in a significant state of disrepair with blacked out frontages and severe structural damage to the roof, which has started to collapse. The site is in effect in a gateway location on the northern approach to the Town Centre, which comes into view as the bend in the road opens up. It also has well used public footpaths along its eastern and western sides that lead onto Mill View, which compound the harm caused to the entrance to the town centre by the existing building. The land to the rear is used informally for parking. Previous attempts to redevelop the site have been resisted due to the potential loss of A1 retail frontage. Whilst Policy TC1 of the neighbourhood plan provides exception criteria for the loss of A1 retail frontage in situations where the unit has been vacant in the long term and/or is harming the environment, the situation here is such that the site merits special attention as a regeneration site in its own right.
- 10.3. The neighbourhood plan states that for Site 2 Land to the south of Station Road:

The redevelopment of this site for town centre uses will be supported where the following is achieved:

- a) Where a shopping use is proposed, the length of frontage is maximised;
- b) The quality of the built environment is improved;
- c) The pedestrian links to the east and west are maintained;
- d) The design will complement the character and appearance of the adjacent conservation area;

- e) Provide well-designed car and cycle parking appropriate to the amount and type of development proposed, reflecting the parking standards provided by Fenland District Council; and
- f) Vehicular access is from the rear.
- 10.4. On the basis of the above, the principle of the redevelopment of the site with a mixed A1 retail / C3 residential scheme can find support within both the Fenland Local Plan (2014) and the March Neighbourhood Plan. The specific details and impacts of the scheme must also be considered however.

#### Layout

- 10.5. The proposal is for the construction of a 2, 3 and 4 storey building on the site, with a central courtyard area. The proposed building consists of several distinct parts, with a 3-storey building to the Station Road frontage, incorporating a retail space at the ground floor that is capable of internal subdivision and with an indicative street elevation showing a more traditional design approach to a street frontage. The eastern part of the development is indicated as being four storeys in height, with a more plain design seen in conjunction with Jim Hocking Court, which is also of a more utilitarian appearance. The western elevation of the proposal has a limited element of three-storey development nearer Station Road, then a lower, two-storey element that connects to a reduced height three-storey section to the rear of the site. Finally the south east corner of the site is a four-storey building, with the indicative elevations being of a more modern appearance.
- 10.6. The layout allows for 12 parking spaces within the boundaries of the site, bin and cycle storage, and a small shared courtyard area for the residents. Vehicular access is obtained from the south as required by the neighbourhood plan, with the footpath links between Station Road and the land to the south maintained to either side of the proposed building.

## Scale

- 10.7. There are several elements to the consideration of the scale of the buildings proposed on the site within the wider setting. In particular, consideration must be given to the number of residential units proposed, its impact on parking within the site and beyond, and the overall height of the proposal within the wider area.
- 10.8. The proposal includes for a total of 26 residential units on the site, comprising 9 x 1-bed and 17 x 2-bed flats, with a retail unit occupying the ground floor of the building fronting Station Road. 12 parking spaces are to be provided within the site, and the accompanying documentation includes an assessment of the level of use of nearby public car parks with regard to the justification for the under-provision of parking on the site in relation to the parking standards set out in the Fenland Local Plan (2014). At its highest, the development is indicated on the elevation drawings (which are indicative) as being equivalent to the overall ridge height of the adjacent Jim Hocking Court.
- 10.9. The previous application on the site involved the provision of the retail unit and up to 34 flats within the proposed buildings. The number of residential units proposed represents a reduction of just under 25% of the previously sought level of provision, and the applicant has indicated that any further reductions in this regard would prevent the scheme from being practical as a development site. A viability assessment has been provided that demonstrates that the scheme cannot accommodate the provision of any developer contributions,

including with regard to Affordable Housing units, which is considered in greater detail later in the report.

10.10. The proposal is for a high density development however one that on the basis of the layout plans and indicative elevations submitted would be appropriate within its surroundings. As a town centre site the nature of the accommodation as small 1-bed and 2-bed units is appropriate in scale to the wider town centre/edge of centre location, and would not be out of scale with the surrounding buildings. The indicative elevations of the proposed building demonstrate that it would be appropriate in terms of its scale and massing within the street scene due to both its overall height, and the options for a design response to its setting. It is noted that the elevations submitted do not form part of the formal submission of details at this stage, however the agent has indicated informally that as they are a product of extensive pre-application discussions it is likely that the reserved matters submission will reflect the appearance details submitted.

## Affordable Housing

- 10.11. The applicant has provided a viability assessment alongside the other information submitted in relation to the proposal. The viability assessment adopts a 15% profit level in relation to the Gross Development Value, which is between 2.5% and 5% below the normal expected return on development of this type.
- 10.12. 3 appraisals were submitted as part of the documentation, with all three showing a negative development value once all factors are taken into account. A policy compliant scheme resulted in a deficit of £94,250, a policy compliant scheme with vacant building credit included showed a deficit of £74,402 and a scheme with no affordable provision resulted in a deficit of £29,333.
- 10.13. The Senior Obligations Officer has assessed the submitted documentation and the costs levels adopted as part of the viability assessment and indicated that these are all within normal ranges for development of this type.
- 10.14. On that basis it is concluded that the scheme cannot deliver affordable housing due to issues of viability.

## Flood Risk and Drainage

- 10.15. The site is located within flood zone 1, and is also noted by Environment Agency data as being at very low risk of surface water flooding. It is at present a mixed surface treatment of gravel and tarmac, with existing structures on the northern portion of the site. The proposal would see the whole of the site developed, and in that respect and in response to the comments received in relation to the proposal the applicant has provided additional information regarding surface water drainage on the site, with the preferred option being for discharge to soakaways/permeable paving with on-site attenuation as a fall-back option.
- 10.16. The Anglian Water response indicated that if the Local Planning Authority was inclined to approve the application then a condition requiring a detailed surface water drainage scheme would be required. Similarly, following the submission of the additional information, the Lead Local Flood Authority has provided further comments removing their initial objection to the proposal, requesting instead a condition is imposed on any permission requiring the submission of a surface

water drainage scheme for the site, and implementation of that scheme in the construction of the development.

10.17. On the basis of that information therefore, the flood risk associated with the site is not sufficient to raise concern, and the surface water drainage is considered to be capable of being addressed through the submission of a detailed scheme. On that basis, there is no justification for refusal of the scheme on flood risk or drainage grounds.

## 11. CONCLUSIONS

- 11.1. The scheme is for the development of a site that is identified for redevelopment within the March Neighbourhood Plan. The principle is in accordance with the relevant policies of the development plan and there are no material considerations that justify refusal of the scheme in principle.
- 11.2. The details submitted for approval at this time are acceptable or can be made so through the use of appropriate planning conditions and therefore there is no justification for refusal of the application.

## 12. **RECOMMENDATION**

Grant, subject to conditions

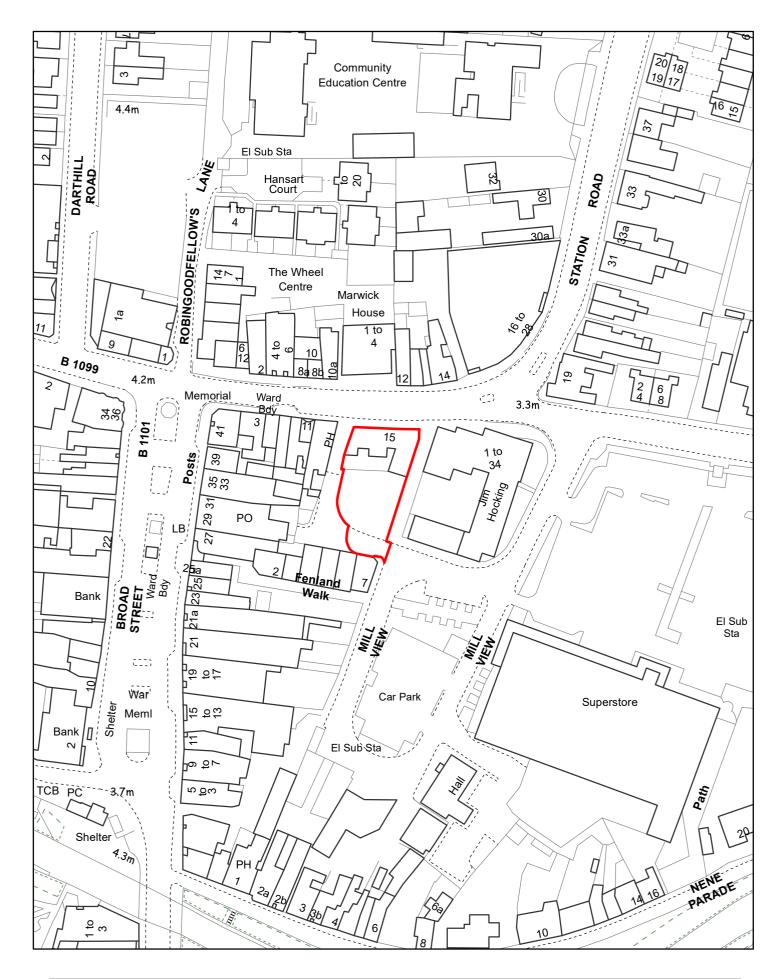
The proposed conditions are as follows;

1.	Approval of the details of:					
	<ul> <li>(i) the external appearance of the building(s);</li> <li>(ii) the means of access thereto;</li> <li>(iii) the landscaping</li> </ul>					
	(hereinafter called "the Reserved Matters" shall be obtained from the Le Planning Authority prior to the commencement of development).					
	Reason: To enable the Local Planning to control the details of the development hereby permitted and to ensure the development meets the policy standards required by the development plan and any other material considerations including national and local policy guidance.					
2.	Application for approval of the Reserved Matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.					
	Reason: To ensure compliance with Section 92 of the Town and Country Planning Act 1990 (as amended).					
3.	The development hereby permitted shall begin before the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved.					
	Reason: To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.					

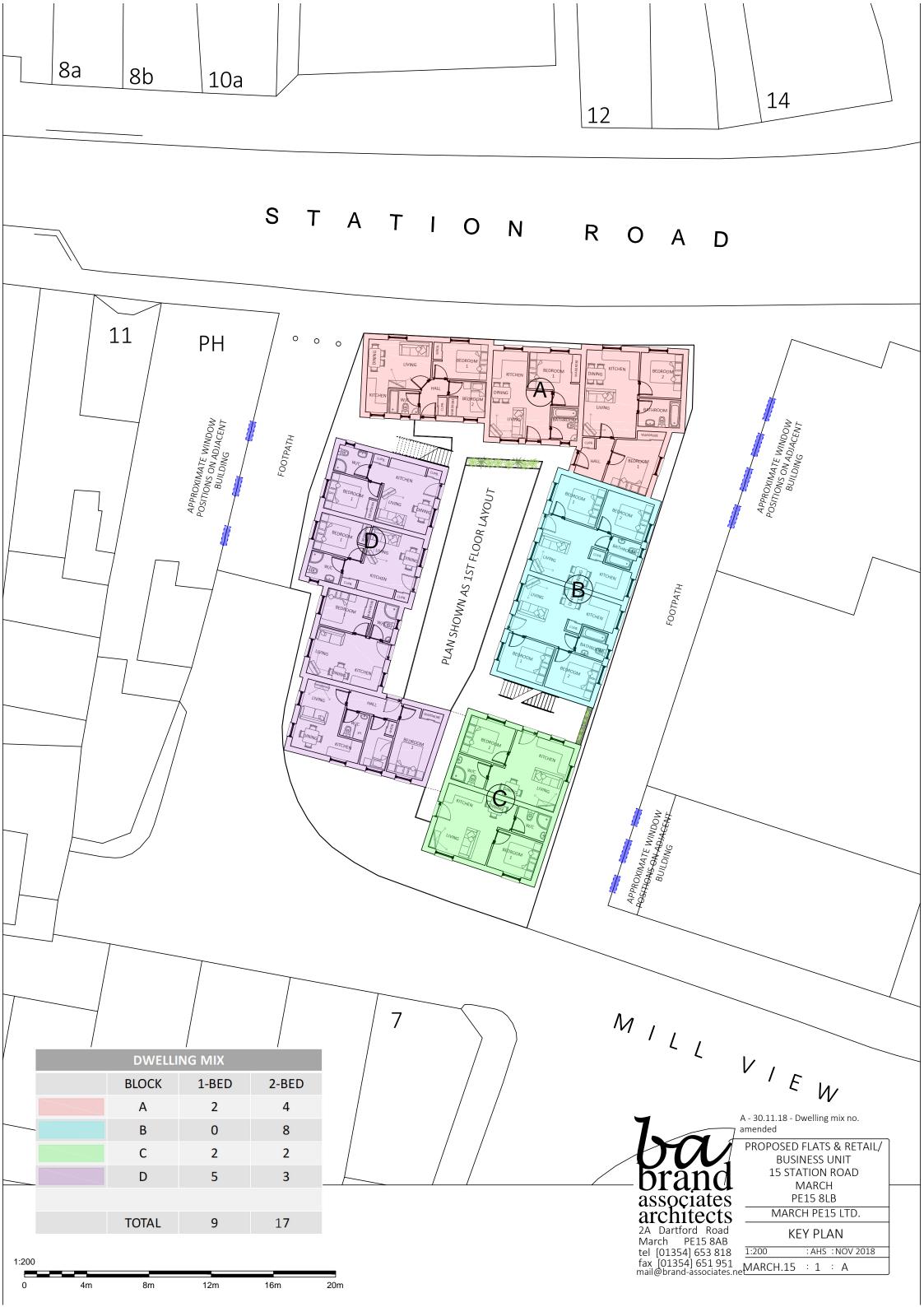
4.	The residential elements of the development shall not exceed 26 flats (Use Class C3).				
	Reason: For the avoidance of doubt and to ensure a satisfactory standard of development.				
5.	No above ground works shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before development is completed. The scheme shall be based upon the principles within the agreed Design and Access Statement prepared by Brand Associates Architects (ref: MARCH.15/EJB) dated May 2016 and shall also include:				
	<ul> <li>a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;</li> </ul>				
	<ul> <li>b) Full results of the proposed drainage system modelling in the above- referenced storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;</li> </ul>				
	<ul> <li>c) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers;</li> </ul>				
	<ul> <li>d) Full details of the proposed attenuation and flow control measures;</li> <li>e) Site Investigation and test results to confirm infiltration rates;</li> <li>f) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;</li> </ul>				
	<ul> <li>g) Full details of the maintenance/adoption of the surface water drainage system;</li> </ul>				
	<ul> <li>h) Measures taken to prevent pollution of the receiving groundwater and/or surface water</li> </ul>				
	The drainage scheme must adhere to the hierarchy of drainage options as outlined in the NPPF PPG.				
	Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development.				

6.	No demolition/development or preliminary groundworks of any kind shall take place until the applicant has secured the implementation of a programme and timetable of archaeological work and recording in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. The approved programme shall then be implemented in accordance with the approved timetable prior to any other works taking place on site. Reason: To secure the provision of the investigation and recording of archaeological remains threatened by the development and the reporting and dissemination of the results in accordance with Policy LP18 of the Fenland Local Plan and to enable the inspection of the site by qualified persons for the investigation of archaeological remains in accordance with a written scheme
7.	of investigation. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority detailing how this unsuspected contamination shall be dealt with. The development shall then be carried out in full accordance with the approved remediation strategy.
	Reason: To control pollution of land and controlled waters in the interests of the environment and public safety in accordance with the National Planning Policy Framework, in particular paragraphs 178 and 179, and Policy LP16 of the Fenland Local Plan 2014.
8.	Prior to the commencement of the development hereby approved adequate temporary facilities area (details of which shall have previously been submitted to and agreed in writing with the Local Planning Authority) shall be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction.
	Reason: To minimise interference with the free flow and safety of traffic on the adjoining public highway in accordance with Policy LP15 of the Fenland Local Plan 2014.
9.	Prior to the first occupation of the development the proposed on-site parking/turning area shall be laid out in accordance with the approved plans, surfaced in a bound material and drained within the site. The parking/turning area, surfacing and drainage shall thereafter be retained as such in perpetuity (notwithstanding the provisions of Schedule 2, Part A, Class F of The Town and Country Planning (General Permitted Development) (England) Order 2015, or any instrument revoking or re-enacting that Order). Reason: To ensure that the parking and turning provision associated with the
	development is available at the time of occupation in order to comply with policy LP15 of the Fenland Local Plan (2014).

10.	All hard and soft landscape works including any management and maintenance plan details, shall be carried out in accordance with the approved details. All planting seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased (except those contained in enclosed rear gardens to individual dwellings) shall be replaced in the next planting authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the Local Planning Authority.
	Reason: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with Policy LP16 of the Fenland Local Plan 2014.
11.	Prior to the first occupation of the development hereby approved a refuse collection strategy shall be submitted to and approved in writing by the Local Planning Authority. The approved refuse collection strategy shall be implemented in accordance with the agreed details in full and thereafter be retained in perpetuity unless otherwise agreed in writing.
	Reason: To ensure a satisfactory form of refuse collection and compliance with Policy LP16 of the Fenland Local Plan, adopted May 2014.
12.	The details submitted under condition 1(i) above shall include a scheme for the provision of external lighting/CCTV as part of the proposed development. This shall include provision for dusk till dawn lighting of the proposed parking area at ground floor level. The approved details shall be implemented prior to commencement of use/occupation of any dwellings and retained thereafter in perpetuity.
	Reason: In order to ensure that the site meets the crime prevention guidelines in accordance with Policy LP17 of the Fenland Local Plan 2014.
13.	The development hereby permitted shall be carried out in accordance with the approved plans and documents.
	Reason: For the avoidance of doubt and in the interest of proper planning.



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ACCESS





JIM HOCKING COURT

